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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 EARNEST CASSELL WOODS II, No. 2:05-cv-0049-MCE-DAD-P  
12 Plaintiff,  
13 v. ORDER  
14 TOM L. CAREY, Warden, et al.,  
15 Defendants.  
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17 Plaintiff, a state prisoner proceeding pro se, has filed  
18 this civil rights action seeking relief under 42 U.S.C. § 1983.  
19 The matter was referred to a United States Magistrate Judge  
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.  
21 262.

22 On December 14, 2005, the magistrate judge filed Findings  
23 and Recommendations herein which were served on Plaintiff and  
24 which contained notice to Plaintiff that any Objections to the  
25 Findings and Recommendations were to be filed within twenty (20)  
26 days.

1 Plaintiff has filed timely Objections to the Findings and  
2 Recommendations.

3 In accordance with the provisions of 28 U.S.C.  
4 § 636(b)(1)(C) and Local Rule 72-304, this Court has conducted a  
5 de novo review of this case. Having carefully reviewed the  
6 entire file, the Court finds the Findings and Recommendations to  
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The Findings and Recommendations filed December 14,  
10 2005, are adopted in full;

11 2. This action is dismissed without prejudice for failure  
12 to state a claim upon which relief may be granted.

13 DATED: January 25, 2006

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17 MORRISON C. ENGLAND, JR.  
18 UNITED STATES DISTRICT JUDGE  
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